



By the King.

A Proclamation for the better and more peaceable
gouernment of the middle Shires of Northumberland, Cumberland,
and Westmerland.



Orasmuch as we doubt not, but the great blessing of Almighty God, hath beene long and still is perceined, and acknowledged by all Our louing Subiects to this whole Iland, in the uniting in Our person the two famous, and ancient Kingdomes of England, and Scotland, and by that meanes in making those Shires, which were anciently the borders of the sayd Kingdomes, to be now the middle Shires of this our vnited Kingdome of Great Britaine; And whereas our speciall care hath ever beene since Our happie accesse to this Kingdome, to haue the same reformed and quieted from slaughters, spoiles, and rapines, and the malefactorz there to be rooted out: Neuerthelesse we finde by experience, that the disordered persons, accustomed in former times to liue by rapine and spoile, preying dayly vpon our good and louing Subiects, without feare of God or man, will not be reformed, nor their insolencies and outrages repressed, without some new supplie of authority to the ordinary ministration of Iustice in those parts. Wee therefore bending Our cares to haue the slaughters, spoiles, robberies, insolent outrages, and other enormities repressed by seuer, and condigne punishment, which were, and still are so frequent, and common vpon the sayd late Borders, and now middle Shires of this Our Kingdome of Great Britaine, as in a case of state for the voyding of many inconueniences, haue with the aduice of Our Prīue Councell, for the speedy preuention, or seuerer punishment heereafter of such foule crimes, set downe certaine Articles heerein digested, which wee command all persons, whom it may concerne, of what degree soeuer, to be duly executed. And if any person shall bee found wilfully negligent, contemptuous, or disobedient, we declare hereby that such seuerity of punishment shalbe inflicted vpon him or them, as the example thereof shall terrifie others from committing such contemptuous offences. First, whereas in the Parliament holden at Westminster the eleventh yeere of the Reigne of the late King of famous memory Henry the seventh it was (amongst other things) ordained and enacted, That the Lordship and bounds of North and South Tindal, and all lands and Tenements within the same, and euery part therof should stand, and be from thenceforth Gildable, and part of the Shire of Northumberland, and no franchise ne enfranchised &c. Our will and pleasure is, that the sayd Statute and Ordinance bee from henceforth, in all and euery the branches thereof, duly obserued and put in execution.

Item, finding it necessary, that the like ordinance, course and proceeding be prescribed to be kept, holden, and observed in Hexhamshire, and within the parts of Riddesdale, and that part of Cumberland, which is called Bewcastle; Our Will and pleasure is, and, of Our power and prerogative Royall, wee doe straitly charge and command, that they and every of them, and all lands and tenements within the same, in whole possession soever they be, and every part thereof, stand, and be from henceforth in the nature of Gildable, and no Franchise, nor enfranchised; but that all manner of Writs shall runne, and all our Officers, Lieutenant or Lieutenants, Justices of Peace, Sheriffs, Escheatours, Coroners, Bayliffes; and other Officers, and their deputies and every of them, of, or within the same, and every part of them; and all other warrants and precepts shall be obeyed and of full authority by reason of this Our Proclamation within the sayd severall places, and in every part thereof, touching and concerning onely all manner of slaughters, felonies, rapines, and other misdemeanours, notwithstanding any pretence, or claime of liberty, or franchise whatsoever.

Also, that no person or persons, of what estate, degree, or condition he or they be of, that now hath, or that hereafter shall have authority or power in his or their owne right, or any other mans, to dimit or let to farme for yeere or yeeres, terme of life, or at will, any Lands or Tenements within any the severall places aforesayd, but that the Lessee or Lessees forthwith before he or they take or occupie by force of any such Lease any Lands and Tenements, finde good and sufficient Suretie, at the least two persons, having Lands and Tenements within some of the places aforesayd, to the full yeerely value of fortie shillings over and above all manner charges and reprises, by Recognizance to Us in twentie pounds, before two Justices of peace within the severall places aforesaid respectively, upon this condition, That if the sayd Lessee or Lessees within eight dayes warning to them personally or openly at his or their owne house, or in his or their Parish Churches given by any of the sayd Justices of peace, the Sherriffe, any of our Lieutenants or any of the sayd places respectively, or any other Our officers, personally appeare not before the same Justices of the peace, or other Our Commissioners, at any Session or Sessions, or Gaole delivery, at such place and day within the sayd severall places respectively, wheresoever it shall fortune them to be assigned, and as they, or any of them shall be thereunto, as before is rehearsed, warned, there and then to answer all such Felonies, Murders, Trespasses, & Misdemeanours, from henceforth by them, or any of them to be done; That then the sayd summe of Twentie pounds shall be forfeited. And if any person or persons after the three and twentieth day of January next comming, or at any time before, after notice of this Our Proclamation, take upon him or them, to let or dimit any Lands or Tenements within the places aforesaid respectively, where no such Sureties is before had and found as is before rehearsed; That every person or persons that so letteth or dimitteth, shall by vertue hereof for every Lease or Demise he so shall make of any Land, Messuage, Mansion, or dwelling house, within the severall places aforesaid respectively by him, or them so let or dimit, suffer Imprisonment, and such further paines and punishment as we shall thinke fit to be inflicted on him. And if any person or persons of what estate, degree, or condition he or they be of, take upon him or them after the three and twentieth day of January next comming, or at any time before, after notice of this Our Proclamation, to enter, dwell, occupie, hold, or inhabite any Lands, Tenements, or Ground within the severall places aforesaid, not being his owne Freehold or inheritance, without sufficient Suretie by him or them found, except he be a Lord Spirituall or Temporall of this Realme: That he or they so doing, have Imprisonment by the space of one yeere, without Bayle or Mainprise, & so to continue until he have found sufficient security to Us by Recognizance afore the Justices of the Peace of the sayd severall places respectively, to be of good bearing against Us, our Heires or Successors, and all our liege people.

Item, that all persons within the sayd middle Shires, when helb and crie, or other pursue shall happen to be made after any felon or felons, or other misbehaved persons within the same, or any of them, shall and doe the uttermost of their power in pursuing, taking, and apprehending the sayd felons and misbehaved persons, upon paine of imprisonment, &c. and other penalties, as to vs shall seeme meet.

Item, That no notorious offenders, or any offenders for stealths of cattell or other things, be let to Bayle or Mainprise by any our Justice or Justices of the Peace, or other Our Ministers, but in open Court or Generall Sessions, upon paine that the person so bayling be put out of the Commission of the Peace, and otherwise punished, as we shall direct.

Item, that the multitude & unnecessary number of hostler houses & Walthers be forthwith repressed according to the Law, and that for the future, the sayd Justices of the Peace be careful and circumspect in the Licences that they shall make for keeping of any such hostler houses, or for making of Walth. And for their better information, doe acquaint the chiefe Lords in the same townes respectively, where such hostler houses and Walthing shall be, with such Licenses to be granted; And the same to be granted to none, but such as are well knownen to be of honest and good conversation, they finding two sufficient Sureties to keepe

good order in their sayd houses, and not wittingly to lodge or entertaine any lewd or suspected persons, nor to suffer any Dicing, Carding, or excessive Drinking in their houses, but in moderate sort, and at seasonable hours, and not other wise, vpon paine of imprisonment and other punishment to ensue thereupon.

Item, that all Iustices of Peace and other Gentlemen of the sayd Counties respectively, doe forbear to maintaine or countenance any by wearing of their Liveries, or any other Dependance, that haue bene known malefactoris in former times, or who are now suspected to be offenders, receitours, abettors, concealors, or maintainors of any Fellow or Fellons, or other notorious leude and misbehaued persons: the contrary course whereof, wee haue found to haue bred to much courage and heart, in such as will not conform themselves to line in obedience to our Lawes, as they tender our displeasure, and vpon paine of being put out of the Commission of the Peace.

Item, that the Wives and Children of all such persons as haue heeretofore either bene banished, or haue become voluntary fugitives into our Realme of Ireland, bee sent to their husbands, and none of them to returne vpon paine of imprisonment, and such other punishment, as wee shall thinke fitt to inflict vpon them.

Item, that all fugitives and Outlawes take notice and warning, by this our Proclamation, that they are to render themselves to some Iustices of Peace of the saide middle Shires, before the twenty third day of January next comming, at their perill. And for default thereof, that all receitours, and maintainers of any of them after that time incurred be committed to some of our Prisons there respectively, there to remaine and abide, without Baile or Mainprize, vntill they produce the Principals, or that the said Principals bee otherwise apprehended.

Item, for the prevention of stealths of Cattell hereafter in those parts and places, That no Beefe or Sheepe be brought to be sold in any Faire or Market, by any Butcher or other person without the Hide, nor without the Skinne hanging on the Carkeise, vpon paine of Imprisonment, and forfeiture of the same so brought, to be bestowed on the poore of the place where such offence shalbe committed.

Item, that no person buy any Horse, Sheepe, or Cattell in any place, but in open Faire or Market, and there to enter the same first in the Toll booke kept for such Faire or Market, vpon paine to forfeit the Goods so bought, and to be imprisoned without Baile or Mainprize, vntill he produce before some of Our Iustices of the Peace, or other head Officer within the said places respectively, the partie that so solde the Goods vnto him.

Item, for the more speedy suppressing, and freeing the said Countreies and places of notorious and wicked offenders that will not be reformed, but by severity of punishment; wee haue taken order for the making out a Commission to speciall Commissioners, to suruey, search and finde out, and enforce vs of the most notorious and lewd persons, and of their faults, within the said Counties of Northumberland, Cumberland, and Westmerland, Ridgedale, and Bewcastle within the same: And we hereby signifie our pleasure to be vpon Certificate of the said Commissioners, to send the most notorious illiners, and misbehaued persons of them that shall so be certified, into Virginia, or to some other remote parts to serue in the warres, or in Colonies, that they may no more infect the places where they abide within this our Realme.

Item, whereas it was heretofore giuen in Charge amongst other instructions, to Commissioners of the sayd middle Shires, That they should take care to forbid all persons within the bounds of their Commission, the vse of Pistols, Peeces and Armoys, except such as should ride or goe in our Service: And to all Inhabitants within Tyndall, Ridgedale, in Northumberland, Bewcastle, the North part of Gilsland Esk, and Leuyn in Cumberland, East and West Tyuidall, Lyddedale, Eufdall, and Annerdale in Scotland, of all maner of weapons, and Armoys; And of all horses, sauing meane Haggies of fortie shillings sterling price, or thereabouts, excepting Noblemen and Gentlemen of qualitie and good carriage, and their household Seruants, being of no broken claymes; And that such as shall retaine Armes and Horses as aforesayd forbidden, one Moneth after publike notice hereby to them giuen, to bee imprisoned for the space of one Moneth without Baile or Mainprize; And that if they shall after their enlargement retaine still in their possession such forbidden Armes and horses for the space of one Moneth more, the person so offending, to forfeit to vs the said Armes and horses, and to bee committed to prison, till hee enter Recognizance to vs in the summe of an hundred pound at the least, before two Iustices of peace there respectively, to put away such Armes and horses as aforesayd. Our Will and pleasure now is, and we doe hereby straitly charge and commaund the sayd Instructions and Directions herein recited, to be henceforth duely obserued, followed, and executed.

Item, that the chiefe Lords of Lands and Liberties in the Counties of Cumberland and Northumberland, shall take good Bonds in good summes of their landholders and vnder tenants, that haue, or shall haue any estate in any houses, lands or tenements by admission, demise, or otherwise from their sayd Lords, to be answerable vpon any warrant to be sent from any Justice of Peace, according to the tenor of the same warrant: In respect whereof, we further will and command, that the sayd Lords shall enter Recognizance to vs in the like summes, before two Justices of the Peace of the same Counties respectively, with condition that if such Tenant or Landholders flee or withdraw himselfe before his apprehension, or become outlawed, the partie grieved, prosecuting and enditing the partie so fled, or withdrawing himselfe, or outlawed for any felony or stealth by him committed, at the next quarter Sessions, and he not there appearing to be tried thereupon, the sayd Lords shall out of the lands, leases, and goods of the fugitive forthwith satisfie the partie grieved for his goods stolen, according to the value thereof, as they shall be prayed indifferently, or else shall giue of their owne goods satisfaction to the party so grieved, vpon paine of forfeiture of their sayd Recognizance.

Lastly, whereas heeretofore there haue bene Commissions by vs awarded to Commissioners of England and Scotland, for the remanding of offenders to the severall places where the offences were committed, which hath bene for a time discontinued, since which time offences in those parts haue more and more abounded, whereby there is a necessity of reuiving the same till the sayd Countries bee brought to better order and more quiet: we therefore will and command, that such as commit felonies, or other heynous offences punishable by the Law in the kingdome of Scotland, and flee into England, shall be apprehended and remanded to the place where the fact was committed, there to receiue their due punishment, and so reciprocally, that the like be done in Scotland for such as commit the like offences in England, & flee thither to escape punishment; For which purpose we haue directed our Commission to special Commissioners of both Nations provisionally, for the better execution and performance of this seruice.

Giuen at Our Pallace of Westminster, the three and twentieth day of December, in the fifteenth yeere of Our Raigne of Great Britaine, France and Ireland. Anno 1617.

God saue the King.

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Excellent Maiestie. ANNO M.DC.XVII.